

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JIAN CHUN SHI,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	No. 09-cv-4608
	:	
JANET NAPOLITANO, et al.,	:	
	:	
Defendants.	:	

**ORDER**

AND NOW, this 2nd day of December, 2009, upon consideration of Plaintiff's Petition for Writ of Mandamus (Doc. No. 1), for the reasons set forth in the attached Memorandum, it is hereby ORDERED that the Motion is DENIED with respect to Plaintiff's request for relief pursuant to 28 U.S.C. § 1361 and 5 U.S.C. § 706(1). It is further ORDERED that Plaintiff shall have the remainder of the 120 days provided by Federal Rule of Civil Procedure 4 (m) to submit proof that Defendants were properly served.

BY THE COURT:

s/J. Curtis Joyner  
J. CURTIS JOYNER, J.